

MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Regular Meeting
February 16, 2000

7:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 7:03 p.m., Wednesday, February 16, 2000, in the Board Room, York County Finance Building, by Chairman Walter C. Zaremba.

Attendance. The following members of the Board of Supervisors were present: Walter C. Zaremba, Sheila S. Noll, Donald E. Wiggins, James S. Burgett, and Melanie L. Rapp.

Also in attendance were Daniel M. Stuck, County Administrator; and James E. Barnett, County Attorney.

Invocation. Chaplain Walt East, US Coast Guard Training Center, Yorktown, gave the Invocation

Pledge of Allegiance to the Flag of the United States of America. Mrs. Noll led the Pledge of Allegiance.

HIGHWAY MATTERS

Mr. John Mazur, representative from the Virginia Department of Transportation (VDOT), appeared to discuss highway matters of interest to the Board of Supervisors. He reported that a contract had been awarded for the completion of a turn lane on Grafton Drive, and construction should begin in approximately 45 days.

Miss Rapp mentioned an earlier request to VDOT from the Woodlake Crossing Subdivision to install "No Speeding- Additional \$200 Fee" signs. She asked that the signs be installed in the proper locations.

Mr. Mazur indicated the signs would be installed.

Mr. Wiggins thanked Mr. Quinton Elliott for accompanying him on road inspections throughout his district. Mr. Wiggins stated there were problems with drainage in the Edgehill district and Waterview Road. He thanked VDOT for repairing most of the potholes in Seaford.

Mrs. Noll reported she was glad to have reflectors installed on the islands on Route 171 and Route 17.

Mr. Burgett indicated he would like to meet with Mr. Elliott to ride around and inspect his district.

Chairman Zaremba reported that the Transportation Safety Commission met once a quarter and requested that VDOT provide a representative at those meetings. He mentioned the 2000 Pre-Allocation Hearings and explained they were a series of forums in which the public was invited to speak. He noted that he and the other Board members had received a petition signed by 62 citizens requesting that Barlow Road be paved.

Mr. Mazur advised that every year the roads were inspected to determine the paving schedule. He stated it was possible to put Barlow Road on the 2001 paving schedule.

PRESENTATIONS

EMPLOYEE RECOGNITION PROGRAM

Chairman Zaremba congratulated Michael L. James and Ronald G. Montgomery, both from the Sheriff's Department, for having attained 25 years of service to the County, and he presented them with their 25-year service pins and certificates.

VIRGINIA MUNICIPAL LEAGUE

Ms. Beth McDonald, representing of the Virginia Municipal League, explained some of the services of the League, which acts as a unified voice for municipalities to the General Assembly. She stated York County was quick to get in touch with its legislators to influence votes. She further explained that since 1987, the League had through its insurance programs returned over a half-million dollars back to the County with \$150,000 going back to the York County School Board since 1996.

YORK COUNTY REAL ESTATE ASSESSMENT

Mr. Dick McNutt, York County Assessor, gave a thorough presentation on the responsibilities and operation of the York County Real Estate Assessment Office. He stated the primary function of the office was the biannual real estate assessments that are governed under Virginia State Law. He explained the assessments provided the Board of Supervisors with equitable value to raise funds to achieve the goals of the citizens of York County. He elaborated on the different methods used in preparing appraisals including the cost approach, sales method, and income approach.

Discussion followed concerning Mr. McNutt's presentation and the reassessment schedule.

Mrs. Noll asked for a copy of the presentation.

Mr. Burgett indicated Mr. McNutt's presentation was very impressive, and he complimented Lynn Williford on her eagerness to answer citizens' questions. He reported he had received comments from citizens concerning another employee in the Assessor's office who had been arrogant with a citizen, and he stressed the importance of citizens being treated with respect. He asked Mr. McNutt's office to work on customer service.

Mr. McNutt stated his employees work on customer service constantly, no matter how ugly or provoking the customers become.

CITIZENS COMMENT PERIOD

Ms. Diane Estano, 208 Church Road, spoke about the teachers of York County and the low wages earned by teaching assistants. She asked that the Board budget more money for the assistants.

Ms. Janice Farley, 205 Terrys Run, Chairman of the York County Library Board of Trustees, thanked the Board for its support over the last two years. She stated the Library Board of Trustees was requesting that the Board of Supervisors include additional funding in the amount of \$100,000 in the FY2001 budget for repairs to the old library which would include a new phone system, new furniture, new fixtures, and six new computers with hardware.

Mr. Burgett mentioned the parking lot at the new library and how dark it was at night. He asked for a cost estimate to install lighting in the parking lot.

Ms. Farley indicated the lighting was on the punch list of items to be discussed.

Chairman Zaremba stated that the Director of General Services, County staff, and the Library Board, represented by Mrs. Noll, were involved in what needed to be done with the library to bring it up to standard.

Ms. Nancy Laurier, 230 Nelson Street, appeared on behalf of the Watermen's Museum to speak on an upcoming event on May 21, 2000, at the Museum entitled "Watermen's Heritage Celebration - Past, Present and Future," and she detailed some of the events and the sponsors. She

asked for help from the Board and the County Administrator in bringing the repairs to Water Street to a completion in order to encourage citizens to attend the celebration.

COUNTY ATTORNEY REPORTS AND REQUESTS

Mr. Barnett reported on the actions of the General Assembly and the status of pending legislation. He also reported that the *Dail v. County of York* appeal, concerning the York County forestry ordinance and its application to a particular piece of land owned by the plaintiff, was set for March 1, 2000. He further reported that SB 758, which would exempt from local government any review or control of telecommunication towers of less than 200' in height to the extent that they locate in VDOT's rights of way, passed in the Senate.

COUNTY ADMINISTRATOR REPORTS AND REQUESTS

Mr. Stuck elaborated on the *Dail v. County of York* case involving the regulation of forestry, noting the subject matter of the case was whether or not localities have any authority at all in these cases. Mr. Stuck stated localities at the present time have very little regulatory authority over forestry. He then addressed a Senate Bill that passed the General Assembly involving overtime for firefighters and, if passed, would cost the County \$100,000 per year. He spoke on the deteriorating partnership between the state and local government, and cited a number of pieces of legislation as examples. Mr. Stuck mentioned the possibility of the Spirit of Norfolk and American Cruise Lines docking in Yorktown, and he announced the ribbon cutting ceremony for York Hall would take place on March 15, 2000, at 5:00 p.m. He also indicated he had received a petition from residents of Barlow Road regarding paving, and he indicated he would have staff go out and look at the road's condition.

MATTERS PRESENTED BY THE BOARD

Mr. Burgett stated he had received a thank you note from Tabb Middle School for having their students at the last Board meeting with their quilt. He reported that he had represented York County at the grand opening ceremony for the Newport News Shipbuilding Credit Union located on Route 17, and he apprised the Board members of his meeting with the Economic Development Strategic Planning Task Force.

Miss Rapp reminded the citizens of her upcoming district meeting, and she announced she had established a Citizens Review Committee for 2001 to review the proposed budget. She stated she had attended a meeting of the Zweibrucken Student Exchange Program. She also indicated she wanted to meet with Mr. Stuck and the other Board members to look into what the General Assembly was doing during this session.

Mrs. Noll reported on functions of the Hampton Roads Planning District Commission and a series of videos being made by the Commission. She explained the videos would help to educate the public on the problems of fiscal stress that local governments feel because of the decisions of the General Assembly.

Mr. Wiggins reported on the February 10 meeting held to discuss the new Seaford Elementary School gymnasium. He stated plans are to build a gym about the same size as the Dare Elementary School gym. He also reported that Virginia Power would have some outages at the Yorktown Power Station, but noted the outages wouldn't affect the citizens.

Chairman Zaremba expressed his condolences to the family of Chris Whalen, a Norfolk firefighter who died from an apparent heart attack. He then addressed a letter received from the Williamsburg Area Convention and Visitors Bureau concerning its annual end-of-year report on the tourism industry. He discussed his involvement with the Peninsula Mayors and Chairs and the Peninsula Alliance for Economic Development, and the issues that are addressed by those organizations which include education, transportation, and the environment. He reported that Cox Communications was involved in a large upgrade within the County and that the Board of Supervisors' meetings and the School Board meetings would no longer be televised on Channel 36 and 37 but would be televised on Channels 46 and 47. He noted that the Board of Supervisors' meetings would take place on the first and third Tuesdays of each month beginning April 4, 2000, and that the work sessions would also be televised.

Mrs. Noll stated she did not believe a decision had yet been made whether or not to televise the Board's work sessions.

Discussion followed concerning the televising of Board work sessions.

Chairman Zaremba then noted that more discussion by the Board was apparently needed, but he felt the work sessions should be televised in an effort to keep the citizens informed. He asked that the topic be an item for discussion at the Board's work session on February 23.

CONSENT CALENDAR

Chairman Zaremba asked that Item No. 2 be removed from the Consent Calendar.

Ms. Noll then moved the adoption of the Consent Calendar, Item Nos. 1, 3, and 4, respectively.

On roll call the vote was:

Yea: (5) Noll, Wiggins, Burgett, Rapp, Zaremba
Nay: (0)

Thereupon, the following minutes were approved and resolutions adopted:

Item No. 1. APPROVAL OF MINUTES

The minutes of the following meeting of the York County Board of Supervisors was approved:

January 19, 2000, Regular Meeting

Item No. 3. EMPLOYEE OF THE QUARTER. Resolution R00-15.

A RESOLUTION TO COMMEND WENDY D. KURNAS, SENIOR
REVENUE SPECIALIST, OFFICE OF THE COMMISSIONER OF THE
REVENUE, AS EMPLOYEE OF THE QUARTER

WHEREAS, Wendy D. Kurnas has been employed by the County in the Office of the Commissioner of the Revenue since December 8, 1997; and

WHEREAS, during the 1999 State Income Tax season, Ms. Kurnas trained and coordinated duties of the seasonal staff so that income tax returns were processed within prescribed time frames and worked many hours to process approximately 4,000 tax due returns; and

WHEREAS, she learned the entire document imaging process and developed a quality assurance procedure that ensures the documents meet certain criteria; and

WHEREAS, she also developed guidelines and procedures for the office that facilitated cross-training by employees and ensured that customers are assisted in a professional manner; and

WHEREAS, Ms. Kurnas sets an excellent example for the office by displaying enthusiasm and professionalism when performing her duties;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 16th day of February, 2000, that Wendy D. Kurnas, Senior Revenue Specialist, be, and is hereby, congratulated upon her selection as Employee of the Quarter for the quarter ended December 31, 1999.

Item No. 4. STREET ACCEPTANCES: Resolutions R00-16 and R00-17

Resolution R00-16:

A RESOLUTION REQUESTING THE VIRGINIA DEPARTMENT OF
TRANSPORTATION TO INCLUDE STREETS IN YORK COLONY INTO
THE STATE SECONDARY SYSTEM OF HIGHWAYS

WHEREAS, the following roads, which are shown on a plat recorded in the Clerk's Office of the Circuit Court of York County, have been constructed to standards equal to the Virginia Department of Transportation's Subdivision Street Requirements as a requisite for acceptance for maintenance as part of the Secondary System of Highways; and

WHEREAS, VDOT's Resident Engineer for York County has inspected these roads and found them acceptable for maintenance; and

WHEREAS, the York County Board of Supervisors does hereby guarantee unencumbered rights of way equal in width to that shown below plus the necessary easements for cuts, fills, and drainage for these roads;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors, this the 16th day of February, 2000, that the Virginia Department of Transportation be, and it hereby is, requested to add and maintain the following roads as part of the Secondary System of Highways, pursuant to Section 33.1-229, Code of Virginia, 1950 amended, and the regulatory requirements of VDOT:

Subdivision: York Colony

Street: Jessica Drive
From: Route 782 (Cary's Chapel Road)
To: 0.14 mile east of Route 782 to terminus
Guaranteed Width for Right-of-Way: 50'
Length: 0.14 mile (726 feet)

Street: Zachary Place
From: Intersection of Route 1470 (Jessica Drive)
To: 0.11 mile southeast to terminus
Guaranteed Width for Right-of-Way: 50'
Distance: 0.11 mile (557 feet)

Street: Seth Lane
From: Intersection of Route 1471 (Zachary Place)
To: 0.06 mile east
Guaranteed Width for Right-of-Way: 50'
Distance: 0.06 mile (308 feet)

The streets listed above are shown on a plat of record entitled "York Colony" dated November 11, 1997, prepared by Sledd & Associates, P.C., and recorded on January 21, 1998, in Plat Book 12, Pages 556-559, in the Clerk's Office of the Circuit Court of York County.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the developer of York Colony and to the Resident Engineer of the Virginia Department of Transportation.

Resolution R00-17:

A RESOLUTION REQUESTING THE VIRGINIA DEPARTMENT OF
TRANSPORTATION TO INCLUDE STREETS IN THE WOODS OF
TABB, SECTIONS ONE AND SIX, INTO THE STATE SECONDARY
SYSTEM OF HIGHWAYS

WHEREAS, the following roads, which are shown on a plat recorded in the Clerk's Office of the Circuit Court of York County, have been constructed to standards equal to the Virginia Department of Transportation's Subdivision Street Requirements as a requisite for acceptance for maintenance as part of the Secondary System of Highways; and

WHEREAS, VDOT's Resident Engineer for York County has inspected these roads and found them acceptable for maintenance; and

WHEREAS, the York County Board of Supervisors does hereby guarantee unencumbered rights of way equal in width to that shown below plus the necessary easements for cuts, fills, and drainage for these roads;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors, this the 16th day of February, 2000, that the Virginia Department of Transportation be, and it hereby is, requested to add and maintain the following roads as part of the Secondary System of Highways, pursuant to Section 33.1-229, Code of Virginia, 1950 amended, and the regulatory requirements of VDOT:

Subdivision: The Woods of Tabb, Section One and Section Six

Street: Terry's Run
 From: Route 1450 (Willard's Way)
 To: 0.10 mile north to intersection of Trei's Trail
 Guaranteed Width for Right-of-Way: 50'
 Length: 0.10 mile (534 feet)

Street: Trei's Trail - West
 From: Intersection of Route 1451 (Terry's Run)
 To: 0.11 mile west to terminus
 Guaranteed Width for Right-of-Way: 50'
 Distance: 0.11 mile (569 feet)

Street: Trei's Trail - East
 From: Intersection of Route 1451 (Terry's Run)
 To: 0.16 mile east to terminus
 Guaranteed Width for Right-of-Way: 50'
 Distance: 0.16 mile (835 feet)

The streets listed above are shown on plats of record entitled "The Woods of Tabb, Section One" dated February 26, 1992, prepared by Davis & Associates, P.C., and recorded on July 7, 1992, in Plat Book 11, Pages 502-504; and "The Woods of Tabb, Section Six" dated September 7, 1995, prepared by Davis & Associates, P.C., and recorded on July 19, 1996, in Plat Book 12, Pages 388-390. These plats were recorded in the Clerk's Office of the Circuit Court of York County.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the developer of The Woods of Tabb, Sections One and Six, and to the Resident Engineer of the Virginia Department of Transportation.

Item No. 2. CHANGES TO BOARD MEETING DATES AND LOCATIONS: Proposed Resolutions R00-20 and R00-21. (Removed from Consent Calendar)

Chairman Zaremba asked Mr. Stuck to explain the proposed resolutions removed from the Consent Calendar.

Mr. Stuck explained that proposed Resolution R00-20 would change the meeting place of the March 15, 2000, Regular Meeting to be held in the new Board Room in York Hall. Proposed Resolution R00-21 provides for the Board's regular meetings after April 1, 2000, to be held on the first and third Tuesdays at 7:00 p.m. in York Hall, with the exception of the first Tuesday in July and the first Tuesday in November, which is usually Election Day.

Chairman Zaremba then moved the adoption of proposed Resolution R00-20 that reads:

A RESOLUTION TO CHANGE THE MEETING PLACE OF THE
 MARCH 15, 2000, REGULAR MEETING OF THE YORK COUNTY
 BOARD OF SUPERVISORS

WHEREAS, the Board's current Rules of Procedure call for the Regular Meetings of the York County Board of Supervisors to be held in the Board Room of the York County Finance Building; and

WHEREAS, it is the desire of the Board of Supervisors to start conducting its Regular Meetings in the Board Room of York Hall, which is currently under renovation for this purpose; and

WHEREAS, it is the Board's intent to conduct its first Regular Meeting in the new York Hall meeting facility on Wednesday, March 15, 2000;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 16th day of February, 2000, that the location for the Wednesday, March 15, 2000, Regular Meeting of the York County Board of Supervisors be changed to the Board Room of York Hall, 301 Main Street, Yorktown.

BE IT FURTHER RESOLVED that the County Administrator be, and he is hereby, directed to post and advertise this resolution in accordance with Section 15.2-1416 of the Code of Virginia.

On roll call the vote was:

Yea: (5) Wiggins, Burgett, Rapp, Noll, Zaremba
Nay: (0)

Mr. Burgett moved the adoption of proposed Resolution R00-21 that reads:

A RESOLUTION TO AMEND SECTION 1-1 OF THE RULES OF PROCEDURE OF THE YORK COUNTY BOARD OF SUPERVISORS TO CORRECT THE NAME OF THE MEETING PLACE FOR ITS REGULAR MEETINGS AND TO PROVIDE FOR NO REGULAR MEETING TO BE HELD THE FIRST TUESDAY IN NOVEMBER

WHEREAS, the Board's current Rules of Procedure call for the Regular Meetings of the York County Board of Supervisors to be held in the Meeting Room of the York County Finance Building at 7:00 p.m. on the first and third Tuesdays of each month (with the exception of the first Wednesday in July) after April 1, 2000; and

WHEREAS, the correct name for the room in which the Board will meet in York Hall is the "Board Room"; and

WHEREAS, the first Tuesday in November is always Election Day unless the first Tuesday falls on November 1;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 16th day of February, 2000, that Section 1-1 of its Rules of Procedure be, and they are hereby, amended as follows:

YORK COUNTY BOARD OF SUPERVISORS
As Amended through February 16, 2000

SECTION 1 - MEETINGS

Section 1-1 When and Where Regular Meetings are Held

The time and place of regular meetings of the Board of Supervisors shall be established at each annual meeting. Regular meetings for the months of January, February, and March shall be called to order at 7:00 p.m., EST and DST in the Board Room, York County Finance Building, on the first and third Wednesdays of each month. Regular meetings for the remainder of the year shall be called to order at 7:00 p.m., EST and DST in the Board Room, York Hall, on the first Tuesday of each month, with the exception of the first Tuesdays in the months of July and November, and on the third Tuesday of each month. Should the Board subsequently prescribe any meeting time or place other than that initially established, it shall comply with Section 15.2-1416 of the Code of Virginia, as amended.

If the Chairman, or the Vice Chairman if the Chairman is unable to act, finds and declares that weather or other conditions are such that it is hazardous for board members to attend a regularly scheduled meeting, the meeting shall be continued to the following Wednesday during the months of January, February, and March at 7:00 p.m., in the Board Room, York County Finance Building, and to the following Tuesday at 7:00 p.m. in the Board Room, York Hall, during the remainder of the year. Such finding shall be communicated to the members of the Board and the press as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting, and no further advertisement is required.

BE IT FURTHER RESOLVED that the County Administrator be, and he is hereby, directed to post and advertise this resolution in accordance with Section 15.2-1416 of the Code of Virginia.

On roll call the vote was:

Yea: (5) Burgett, Rapp, Noll, Wiggins, Zaremba
Nay: (0)

CLOSED SESSION. At 8:59 p.m. Mr. Burgett moved that the meeting be convened in Closed Session pursuant to Section 2.1-344(a)(1) of the Code of Virginia pertaining to appointments to Boards and Commissions.

On roll call the vote was:

Yea: (5) Rapp, Noll, Wiggins, Burgett, Zaremba
Nay: (0)

Meeting Reconvened. At 9:40 p.m. the meeting was reconvened in open session by order of the Chair.

Miss Rapp moved the adoption of proposed Resolution SR-1 that reads:

A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREEDOM
OF INFORMATION ACT REGARDING MEETING IN CLOSED SES-
SION

WHEREAS, the York County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the York County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 16th day of February, 2000, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the York County Board of Supervisors.

On roll call the vote was:

Yea: (5) Noll, Wiggins, Burgett, Rapp, Zaremba
Nay: (0)

APPOINTMENT TO THE COLONIAL GROUP HOME COMMISSION

Miss Rapp moved the adoption of proposed Resolution R00-18 that reads:

February 16, 2000

A RESOLUTION TO REAPPOINT A YORK COUNTY GOVERNMENTAL REPRESENTATIVE TO THE COLONIAL GROUP HOME COMMISSION

BE IT RESOLVED by the York County Board of Supervisors this 16th day of February, 2000, that Stephen P. Kopczynski be, and he is hereby, reappointed to the Colonial Group Home Commission for a term of four years, such term to begin March 1, 2000, and expire February 28, 2004.

On roll call the vote was:

Yea: (5) Wiggins, Burgett, Rapp, Noll, Zaremba
Nay: (0)

APPOINTMENT TO THE YORK COUNTY HISTORICAL COMMITTEE

Mrs. Noll moved the adoption of proposed Resolution R00-23 that reads:

A RESOLUTION TO APPOINT MEMBERS TO THE YORK COUNTY HISTORICAL COMMITTEE

WHEREAS, due to the recently resignations of Mr. William Welch and Mrs. Shirley Rawls from the York County Historical Committee, three vacancies now exist on the Committee; and

WHEREAS, several individuals have submitted Board Bank applications for Associate membership in the Committee;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 16th day of February, 2000, that the following individuals be, and they are hereby, appointed to the York County Historical Committee:

David J. Meredith
Joseph A. Roszkowski
Margaret C. Cook
Richard P. Long (Associate)
Carol R. Meredith (Associate)
Jerry R. Karwac (Associate)
Frank Green (Associate)

On roll call the vote was:

Yea: (5) Burgett, Rapp, Noll, Wiggins, Zaremba
Nay: (0)

Meeting Adjourned. At 9:48 p.m. Chairman Zaremba declared the meeting be adjourned to 6:00 p.m., Wednesday, February 23, 2000, in the Board Room, York County Finance Building, for the purpose of conducting a work session.

Daniel M. Stuck, Clerk
York County Board of Supervisors

Walter C. Zaremba, Chairman
York County Board of Supervisors